(Filed) (3)

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION NO.4273 OF 2004

PETITIONER:

Smt. Celine David, Widow of Late Shri R.R. Nath, Aged about 59½ years, Presently posted and working as Staff Nurse, Civil Hospital, Kharsiya, District Raigarh (C.G.).

P.R. No. 4305/04
Presented by Shri S. Radhakrishnan
dated 21.11.04

Versus

RESPONDENTS:

1. State of Chhattisgarh, Through its Secretary, Department of Health and Family Welfare, D.K.S. Building, Mantralaya, Raipur (C.G.).
2. Director, Directorate of Health Services, Chhattisgarh, Raipur (C.G.).
3. Collector, Raigarh, Dist. Raigarh (C.G.).
4. Chief Medical Officer, Raigarh, District Raigarh (C.G.).

RECEIVED COPY 21/11/04 Clerk to A.G. Bilaspur

21/11/04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. **PARTICULARS OF THE PETITIONER:**

As shown in the cause title.

(29)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

WP 4273/04

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

30-11-2004

Shri Sameer Behar, Counsel for the petitioner.

Shri Akhil Agrawal, Panel Lawyer for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Civil Hospital, Kharsiya to Community Health Centre, Chaple, vide order dated 18-10-2004 (Annexure-P/1). He also submits that the petitioner is aged about 59½ years and she is at the fag end of her services and is going to be retired within a period of six months i.e. in the month of April, 2005. He also submits that the petitioner is suffering from severe diabetes and gallbladder stone and her health condition is not good in view of her age and due to sudden demise of her husband on 28-2-2004. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising her grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the

2000—50,000.

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4273/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation. Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue. It is directed that the petitioner be allowed to continue till the decision of representation. It is made clear that if any grievance still remains after decision of representation, the petitioner may avail the remedy available under the law including filing of petition afresh. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P.No.4631/04 & I.A.No.8646/04 also stand disposed of. Sd/- Fakhruddin Judge	
Gowri		

GI PRJ—FS/350—12/2000—50,000.